



State of New Jersey

JAMES E. MCGREEVEY
Governor

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF OPTOMETRISTS
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

PETER C. HARVEY
Attorney General
RENI ERDOS
Director

January 21, 2004

By Certified and Regular Mail

Terri Haberman, O.D.
460 Woodbridge Center
Woodbridge, New Jersey

Mailing Address:
P.O. Box 45012
Newark, NJ 07101
(973) 504-6440

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Haberman:

This letter is to advise you that the New Jersey State Board of Optometrists (the "Board") has had an opportunity to review information concerning your failure to timely renew your license. The information reviewed indicated that you applied for reinstatement of your license on October 16, 2003. In response to the Board's inquiry as to whether you continued to practice from April 30, 2003 until the date that you submitted the application for reinstatement you affirmed by correspondence that you continued to perform the practice of optometry by conducting general eye examinations and contact lens fittings at your Woodbridge office during the period that the license was not renewed.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:1-7.1(c) in that you continued to perform the practice of optometry for five months while your license was in suspended status.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal disciplinary proceedings, should you consent to:

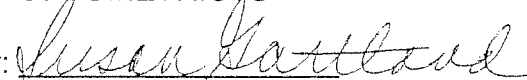
1. cease and desist from practicing with a suspended license in the future;
2. the issuance of a formal reprimand;
3. pay a penalty in the amount of \$1000.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter);

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.


In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez, who may be reached at (973) 648-3696.

If you elect to settle this matter now you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD
OF OPTOMETRISTS

By: 
Susan Gartland
Executive Director

ACKNOWLEDGMENT: I, Terri Haberman, O.D., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$1000.00 (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.


Terri Haberman, O.D.

Dated:

cc: Carmen A. Rodriguez, Deputy Attorney General